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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,606	02/21/2002	Jean Tourrilhes	100111716-1	7283

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EXAMINER

LY, NGHI H

ART UNIT PAPER NUMBER

2686

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/079,606	TOURRILHES, JEAN	
	Examiner	Art Unit	
	Nghi H. Ly	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Drawings

2. The drawings were received on 10/24/2005. These drawings (Fig.2) are acceptable.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6 and 8-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Verkuijssen (WO99/46944).

Regarding claims 1 and 8, Verkuijssen teaches a system for changing operation mode of a first communication interface of a first device in communication with a second device (see Abstract, fig.2, connection between devices), comprising: a communication activator external to the first device (see fig.2, Verkuijssen's "terminal 10" reads on Applicant's "third device" and it inherently includes "software", and Verkuijssen's "exchange 30", "terminal 20" or "terminal 22" reads on Applicant's "first device". In addition, Applicant's specification page 10, lines 14-16 states that "*the activator 25 can also be a piece of software in a device (e.g., PDA)*". In addition, Applicant's

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specification page 7, line 22 to page 8, line 6 stated that *"devices 20 and 28-29 can be any kind of portable or mobile electronic device. In one embodiment, each of the devices 20 and 28-29 is a pager or a watch. In another embodiment, each of the devices 20 and 28-29 is a cellular phone or satellite phone. In a further embodiment, each of the devices 20 and 28-29 is a palm-top computer, a personal digital assistant, a personal organizer, or a mobile computer. In a still further embodiment, each of the devices 20 and 28-29 can be a computer system. Alternatively, each of the devices 20 and 28-29 can be any kind of information appliance, mobile computer system, or any kind of small portable handheld electronic device or appliance"*) to send a trigger signal (see Abstract, fig.2 and page 4, lines 8-15) when an external third device (see fig.2, Verkruijssen's "terminal 10" reads on Applicant's "third device") wants to communicate with the first device (see fig.2, Verkruijssen's "exchange 30", "terminal 20" or "terminal 22" reads on Applicant's "first device") via the first interface (see Abstract, fig.2 and page 4, lines 8-15, in order to receive and transmit signals, the teaching of Verkruijssen inherently teaches Applicant's "interface"), a second communication interface inside the first device to receive the trigger signal (see Abstract, fig.2 and page 4, lines 8-15, in order to receive and transmit signals, the teaching of Verkruijssen inherently teaches Applicant's "interface"), an operation mode control module coupled to the first and second interfaces to cause the first interface to change its operation mode in order to communicate with the third device when the second interface receives the trigger signal (see fig.2, Verkruijssen's "exchange 30", "terminal 20" or "terminal 22" reads on Applicant's "first device" and see Abstract, fig.2 and page 4, lines 8-15, in order to

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receive and transmit signals, the teaching of Verkuijssen inherently teaches Applicant's "interface" and "an operation mode control module coupled to the first and second interfaces").

Regarding claims 2 and 9, Verkuijssen teaches the communication activator is inside the third device that also includes a first communication interface and a second communication interface (see fig.2, Verkuijssen's "terminal 10" reads on Applicant's "third device". In order to receive and transmit signals, the teaching of Verkuijssen inherently teaches Applicant's "first communication interface", "second communication interface" and it inherently includes "software". In addition, Applicant's specification page 10, lines 14-16 states that "*the activator 25 can also be a piece of software in a device (e.g., PDA)*").

Regarding claims 3 and 10, Verkuijssen teaches the communication activator is located external to the third device (see Abstract, fig.2 and page 4, lines 8-15, the teaching of Verkuijssen inherently teaches "a communication activator". In addition, Applicant's specification page 10, lines 14-16 states that "*the activator 25 can also be a piece of software in a device (e.g., PDA)*").

Regarding claims 4 and 11, Verkuijssen further teaches the operation mode of the first interface of the first device is changed to (1) suspend its current exclusive communication with the second device (see page 3, lines 17-18) and (2) include the third device in its communication such that the first, second, and third devices are in communication together (see fig.2, wired and wireless connections between "exchange 30", "terminal 10", "terminal 20" or "terminal 22").

Regarding claims 6 and 13, Verkuijssen further teaches the first and second communication interfaces employ different wireless communication technologies (see fig.2, wired and/or wireless connections).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verkuijssen (WO99/46944).

Regarding claims 7 and 14, Verkuijssen teaches each of the first and second communication interfaces employs a wireless communication technology (see fig.2, see wireless connection between devices).

Verkuijssen does not specifically disclose a group comprising infrared communication technology, laser communication technology. However, the Examiner takes Office notice such features as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Verkuijssen in order to provide a method as claimed, for employing a wireless communication technology.

Response to Arguments

7. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly


12/29/05


CHARLES APPIAH
PRIMARY EXAMINER